

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

Ethel Sauber, et al.,

Case No. 3:22-cv-1590

Plaintiffs,

v.

ORDER

Evans Delivery Company, Inc., et al.,

Defendants.

On September 8, 2022, Defendants removed this action from the Hardin County, Ohio Court of Common Pleas, asserting this court had original diversity jurisdiction over this matter. (Doc. No. 1 at 2).

For a district court to have original diversity jurisdiction over a case, complete diversity must exist between the parties to the dispute. 28 U.S.C. § 1332(a). To satisfy the diversity jurisdiction requirements, the dispute must be between citizens of different states. 28 U.S.C. § 1332(a)(1). For purposes of diversity jurisdiction, “a corporation shall be deemed to be a citizen of every State and foreign state by which it has been incorporated and of the State or foreign state where it has its principal place of business.” 28 U.S.C. § 1332(c)(1).

The notice of removal states, “Defendants [sic] Evans Delivery Company, Inc. is a citizen of Pennsylvania because it was organized and registered in Pennsylvania.” (Doc. No. 1 at 2). But even if I assume “organized and registered” means “incorporated,” this jurisdictional allegation is insufficient because it fails to state the principal place of business of Defendant Evans Delivery

Company, Inc. Without this requisite information, I cannot conclude I have subject matter jurisdiction over this matter.

Therefore, to maintain this action in federal court, Defendant Evans Delivery Company, Inc. shall supplement the notice of removal with an affidavit of jurisdiction providing “every State and foreign state by which it has been incorporated and of the State or foreign state where it has its principal place of business.” 28 U.S.C. § 1332(c)(1). *See also* 28 U.S.C. § 1447(c) (“If at any time before final judgment it appears that the district court lacks subject matter jurisdiction, the case shall be remanded.”). The affidavit shall be filed within 14 days of this Order.

So Ordered.

s/ Jeffrey J. Helmick
United States District Judge